

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FICOR ACQUISITION CO., LLC, d/b/a MILLS &  
GREER SPORTING GOODS, RICHARD  
CAPLAN, MARIA PILAR SALGADO, PAULA  
NARDELLA, NANCY WOLFE, LESLIE MARCH,  
TOM HOBBS, ANDREW MARCUS, and  
VIRGINIA DEERING, on their own behalves and  
on behalf of all others similarly situated,

Plaintiffs,

v.

INTEL CORPORATION, a Delaware Corporation,

Defendant.

C. A. No. 05-515-JJF

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE FILING DATE  
FOR DEFENDANT'S RESPONSE TO PLAINTIFFS' COMPLAINT**

IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH  
THEIR COUNSEL AS FOLLOWS:

Plaintiffs Ficor Acquisition Co., LLC, d/b/a/ Mills & Greer Sporting Goods, Richard Caplan, Maria Pilar Salgado, Paula Nardella, Nancy Wolfe, Leslie March, Tom Hobbs, Andrew Marcus and Virginia Deering, and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to Plaintiffs' complaint shall be due either (1) the earlier of 60 days after transfer of the above-captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. § 1407 or such time for response that the transferee Court may require for any action made part of the same MDL, or, (2) 45 days after any such motion has been denied. The parties request this transfer because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (BZ) (N.D. Cal., filed July 5, 2005), a related matter, have filed a petition to

coordinate or consolidate pre-trial proceedings per 28 U.S.C. § 1407, and the above-styled action has been identified as a related action to that petition. As a result, the outcome of the pending petition will impact significantly the schedule of this case.

This is the first stipulation between the parties. Because this litigation has just begun, granting such a stipulation will not have any negative impact on the schedule of this case.

CHIMICLES & TIKELLIS LLP

POTTER ANDERSON & CORROON LLP

By: /s/ A. Zachary Naylor  
Pamela S. Tikellis (#2172)  
Robert J. Kriner, Jr. (#2546)  
A. Zachary Naylor (#4439)  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19999  
Telephone: (302) 656-2500  
Facsimile: (302) 656-9053  
[pamelatikellis@chimicles.com](mailto:pamelatikellis@chimicles.com)  
[robertkriner@chimicles.com](mailto:robertkriner@chimicles.com)  
[zacharynaylor@chimicles.com](mailto:zacharynaylor@chimicles.com)

Attorneys for Plaintiffs  
FICOR ACQUISITION CO., LLC, d/b/a  
MILLS & GREER SPORTING GOODS,  
RICHARD CAPLAN, MARIA PILAR  
SALGADO, PAULA NARDELLA,  
NANCY WOLFE, LESLIE MARCH,  
TOM HOBBS, ANDREW MARCUS,  
and VIRGINIA DEERING

Dated: July 28, 2005

By: /s/ Richard L. Horwitz  
Richard Horwitz (#2246)  
W. Harding Drane, Jr. (#1023)  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
P.O. Box 951  
Wilmington, DE 19801  
Phone: (302) 984-6000  
Facsimile: (302) 658-1192  
[rhorwitz@potteranderson.com](mailto:rhorwitz@potteranderson.com)  
[wdrane@potteranderson.com](mailto:wdrane@potteranderson.com)

OF COUNSEL:

David M. Balabanian  
Christopher B. Hockett  
Joy K. Fuyuno  
BINGHAM McCUTCHEN LLP  
Three Embarcadero Center  
San Francisco, CA 94111-4067  
Telephone: (415) 393-2000  
Facsimile: (415) 393-2286

Richard A. Ripley  
BINGHAM McCUTCHEN LLP  
1120 20<sup>th</sup> Street, N.W., Suite 800  
Washington, D.C. 20036  
Telephone: (202) 778-6101  
Facsimile: (202) 393-6929

Attorneys for Defendant  
INTEL CORPORATION

**ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE**

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiffs' complaint shall be due either (1) the earlier of 60 days after transfer of the above-captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. § 1407 or such time for response that the transferee Court may require for any action made part of the same MDL, or, (2) 45 days after any such motion has been denied.

Dated: \_\_\_\_\_, 2005

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Joseph J. Farnan, Jr., U.S.D.J.